

SENATE BILL 1014
By Gilbert

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 50, relative to state employees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 50, Part 8, is amended by adding the following language as a new, appropriately designated section:

(a) The title of this act is, and may be cited as, the "State Employees Inclement Weather Leave Act".

(b) As used in this act:

(1) "Inclement weather" means severe climatic conditions which render travel along highways and roadways especially hazardous due to accumulated snow and/or ice.

(2) "Designated personnel officer for the district" means:

(A) Relative to state employees with assigned work stations located in Davidson County, the commissioner of personnel; and

(B) Relative to state employees with assigned work stations located within the territory of any of the judicial districts lying outside of Davidson County, the executive department employee within the territory of each such district who is designated by the commissioner of personnel to serve as the commissioner's agent for purposes of this act.

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(3) "State employee" means all persons in the full-time employ of the executive department of the state of Tennessee; provided, however, "state employee" does not include the executive department employees within any job classification deemed by the commissioner of personnel to be essential to the immediate preservation and maintenance of public health, safety and/or security; and provided further, however, "state employee" does not include any employee of any public university or college.

(c) As may be necessitated by inclement weather and only after consultation with the department of safety and local law enforcement agencies, the designated personnel officer for the district may authorize state employees with assigned work stations located within the district to arrive late for work, to depart early from work, or to remain at home for the work day. Such consultation with the department of safety and local law enforcement agencies must be documented by the personnel officer in writing on forms supplied by the department of personnel, and such documentation must be promptly filed with the department of personnel.

(d) A state employee, who acts in accordance with such personnel officer's authorization, may claim inclement weather leave to offset missed hours of work without reduction in pay or loss of annual leave; provided, however, no state employee shall be awarded a total of more than thirty (30) hours of inclement weather leave during any calendar year. Any inclement weather leave duly authorized by such officer and claimed by the state employee in excess of such limit must be offset by loss of a corresponding amount of annual leave or, alternatively, by a corresponding reduction in pay.

(e) The commissioner of personnel is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be

promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

(f)

(1) The personnel officer for the legislative department of state government is hereby authorized to design and implement a similar program of inclement weather leave for full-time employees of the legislative department; provided, however, no such employee shall be awarded a total of more than thirty (30) hours of inclement weather leave during any calendar year. Any inclement weather leave duly authorized pursuant to such program and claimed by the employee in excess of such limit must be offset by loss of a corresponding amount of annual leave or, alternatively, by a corresponding reduction in pay.

. (2) The court administrator for the supreme court is hereby authorized to design and implement a similar program of inclement weather leave for full-time employees of the judicial department; provided, however, no such employee shall be awarded a total of more than thirty (30) hours of inclement weather leave during any calendar year. Any inclement weather leave duly authorized pursuant to such program and claimed by the employee in excess of such limit must be offset by loss of a corresponding amount of annual leave or, alternatively, by a corresponding reduction in pay.

(3) The chief executive officer of the state university and community college system hereby authorized to design and implement a similar program of inclement weather leave for full-time employees of the state university and community college system; provided, however, no such employee shall be awarded a total of more than thirty (30) hours of inclement weather leave during any calendar year. Any inclement weather leave duly authorized pursuant to such program and claimed by the employee in excess of such limit must be offset

by loss of a corresponding amount of annual leave or, alternatively, by a corresponding reduction in pay.

(4) The chief executive officer of the university of Tennessee system is hereby authorized to design and implement a similar program of inclement weather leave for full-time employees of the university of Tennessee system; provided, however, no such employee shall be awarded a total of more than thirty (30) hours of inclement weather leave during any calendar year. Any inclement weather leave duly authorized pursuant to such program and claimed by the employee in excess of such amount must be offset by loss of a corresponding amount of annual leave or, alternatively, by a corresponding reduction in pay.

(g) On or before January 15, 1999, and each year thereafter through 2003, the commissioner of personnel shall report to the governor and to each member of the general assembly the department's analysis of the overall impact of this act as well as any recommendations for improvements.

SECTION 2. This act shall take effect July 1, 1997, the public welfare requiring it.

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